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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IRON GATE SECURITY, INC.,	:	ECF CASE
	:	
Plaintiff,	:	Civil Action No. 16-cv-8885
v.	:	
	:	
LOGITECH INC.,	:	
	:	
Defendant.	:	
	x	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Iron Gate Security, Inc. ("Iron Gate") files this Complaint against Logitech Inc. ("Logitech") for patent infringement of U.S. Patent No. 6,288,641 and hereby alleges as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 1 *et seq.*

PARTIES

2. Plaintiff Iron Gate is a Delaware corporation having a place of business at 780 Third Avenue, 12th Floor, New York, New York 10017.

3. On information and belief, Defendant Logitech is a California corporation with its principal place of business at 7700 Gateway Blvd., Newark, CA 94560.

JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, 35 U.S.C. §§ 1 *et seq.*

5. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b), (c), (d), and/or 1400(b).

6. On information and belief, this Court has personal jurisdiction over Logitech by reason of Logitech's acts of patent infringement that have been committed in this judicial district, and by virtue of its regularly conducted and systematic business contacts in this judicial district. As such, Logitech has purposefully availed itself of the privilege of conducting business within this judicial district; has established sufficient minimum contacts with this judicial district such that it should reasonably and fairly anticipate being hauled into court in this judicial district; has purposefully directed activities at residents of this judicial district; and at least a portion of the patent infringement claims alleged herein arise out of or are related to one or more of the foregoing activities.

BACKGROUND

7. On September 11, 2001, the U.S. Patent and Trademark Office duly and lawfully issued U.S. Patent No. 6,288,641 ("the '641 Patent"), entitled "Assembly, And Associated Method, For Remotely Monitoring A Surveillance Area." The '641 Patent was filed on September 15, 1999. A true and correct copy of the '641 Patent is attached to this Second Amended Complaint as Exhibit A.

8. The '641 Patent relates to, amongst other things, the use of a mobile terminal to remotely monitor a surveillance location (*e.g.*, home or business).

9. The inventor of the '641 Patent is Eduardo Casais. At the time of the invention, Mr. Casais worked for Nokia, a worldwide leader in research and development related to wireless infrastructure and mobile handset technologies. The '641 Patent was initially assigned by Mr. Casais to Nokia.

10. Iron Gate is presently the owner by assignment of the '641 Patent and possesses all of the rights of recovery under the '641 Patent, including the right to sue and recover damages for infringement of claims of the '641 Patent.

11. Systems for remotely monitoring homes and businesses, including cameras, servers and mobile apps, have started to become available to consumers over the past several years. Logitech is a company that offers the underlying remote surveillance equipment and services used with such mobile apps.

FIRST CLAIM FOR RELIEF
Infringement of U.S. Patent No. 6,288,641 By Logitech

12. The allegations set forth above are hereby realleged and incorporated herein by reference.

13. Logitech manufactures, uses, sells, offers to sell, and/or imports remote monitoring products, systems, and services in the United States that infringe at least claims 1, 15, and 22 of the '641 Patent. Logitech commits acts of direct patent infringement through the manufacture, use, sale, offer for sale, and/or importation of assemblies and apparatus including Circle and Alert cameras, backend servers, and/or Logi Circle and Logitech Alert mobile apps.

14. On information and belief, Logitech itself (or those acting on its behalf) has used and continues to use mobile terminals (*e.g.*, cellular phones) (with the Logi Circle and/or Logitech Alert mobile app) to test and demonstrate Circle and/or Alert cameras, backend servers, and/or the Logi Circle and/or Logitech Alert mobile apps.

15. Logitech has itself used and continues to use mobile terminals (e.g., cellular phones) with at least the Logi Circle mobile app in its online videos in order to demonstrate to customers how to use the Logi Circle mobile app and Logitech Circle assembly and apparatus.

See https://www.youtube.com/watch?v=tjFsMuqx_jQ;
<https://www.youtube.com/watch?v=Da7JJBZ00K8>; http://support.logitech.com/en_us/p/circle/getting-started; https://www.youtube.com/watch?v=IEt7vZ22_Mg; https://www.youtube.com/watch?v=Z_N4A3qQXtA

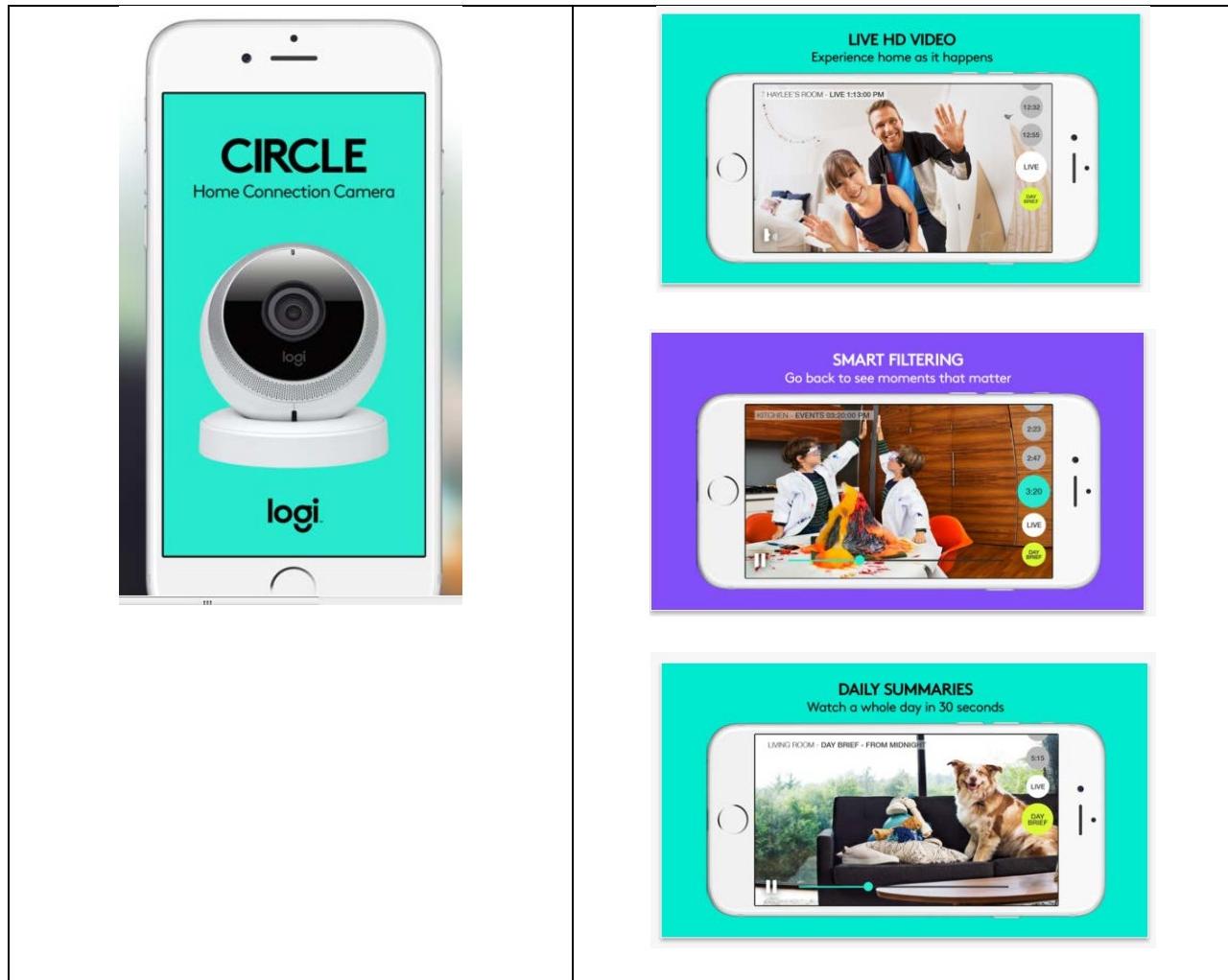
16. Logi Circle cameras operate with the Logi mobile apps and/or backend servers such that Logitech provides assemblies, apparatus, systems, and/or methods for monitoring of surveillance areas (e.g., locations in a home or office) that infringe at least claims 1, 15, and 22 of the '641 Patent.

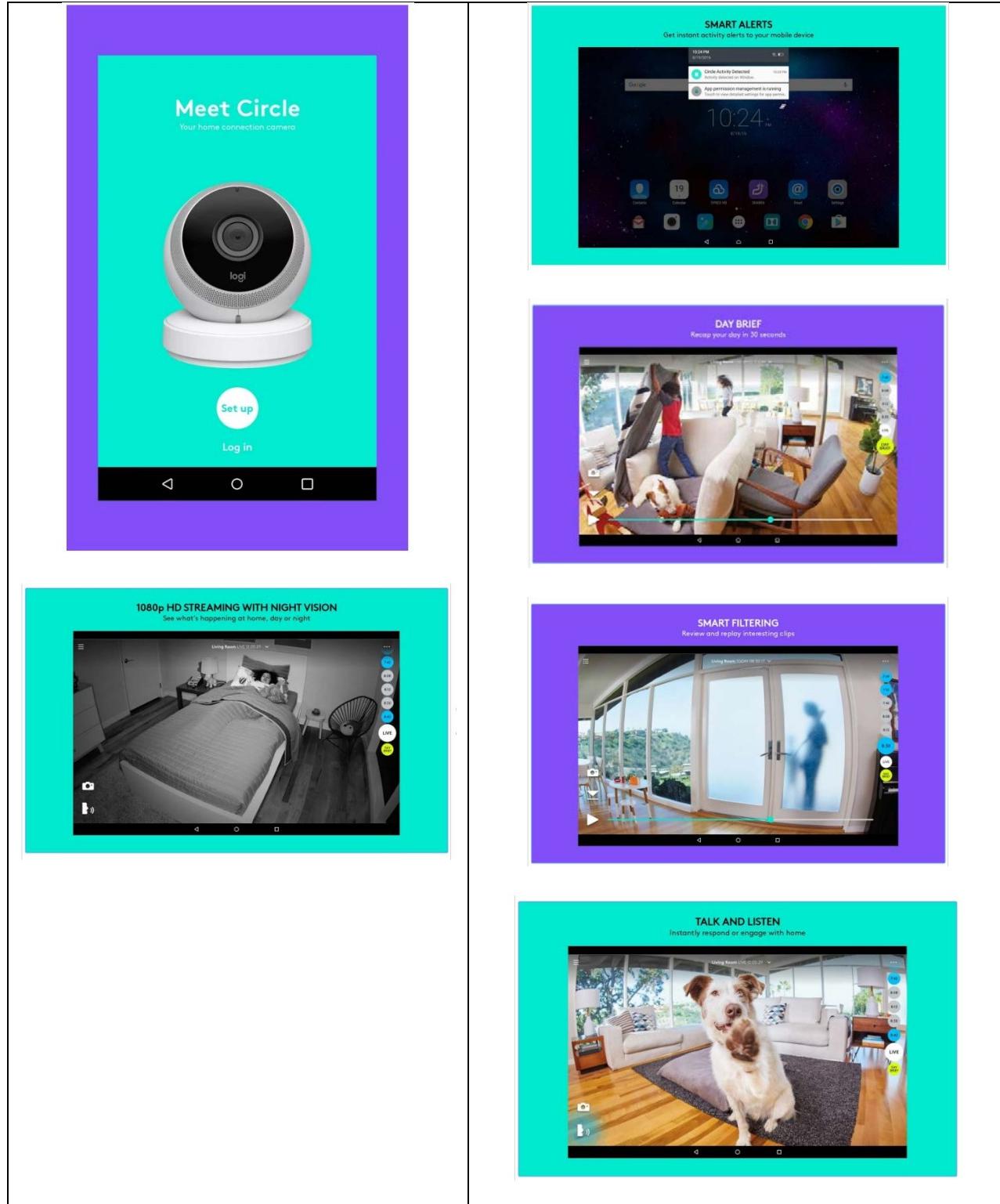
17. The Logi Circle cameras, which function as the claimed transducers, include at least the following 1080p HD cameras:



<http://www.logitech.com/en-us/product/circle?page=12569#section-specs>

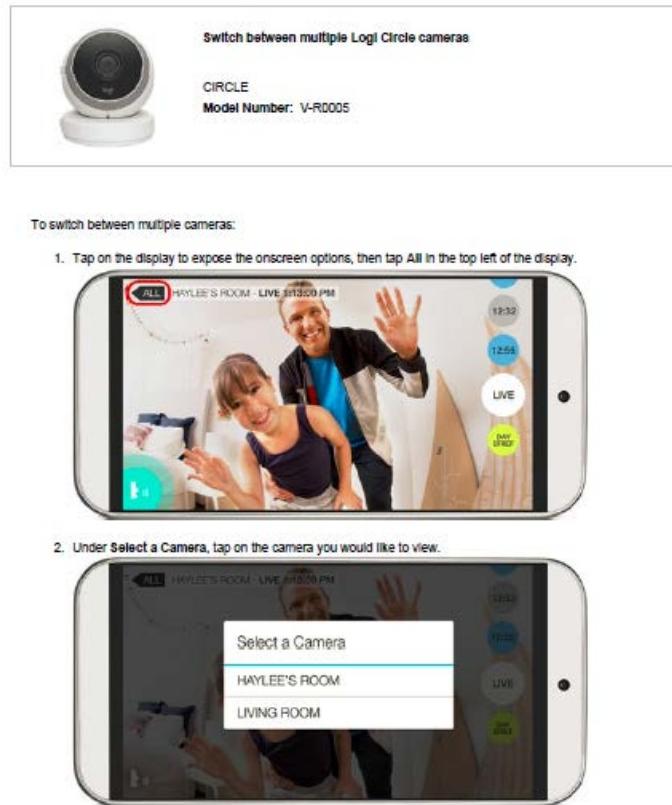
18. The Logi Circle mobile apps are provided via mobile download sites such as the Apple iTunes and Google Play Store. <https://itunes.apple.com/us/app/logi-circle-security-camera/id1018340690?mt=8>;
<https://play.google.com/store/apps/details?id=com.logitech.circle&hl=en>





19. Using the Logi Circle mobile app, a user can select a camera from a listing of Logi Circle cameras in order to obtain live or recorded streaming video from that camera or

backend servers in order to monitor a surveillance area. At least the backend servers function as the claimed controller.



http://support.logitech.com/en_us/article/Switch-between-multiple-Logi-Circle-cameras?product=a0q31000008v1unAAA.

20. Using the Logi Circle mobile app, a user can obtain “day brief” (summary of the day’s recorded events) or “smart filtering” video clips of specific events that were recorded.

CIRCLE YOUR HOME



REAL-TIME STREAMING VIDEO

See home events as they happen with instant, high-quality HD video.



AUTO NIGHT VISION

See clearly in the dark for up to 15 feet.



30-SECOND SUMMARIES

Watch a whole day in a quick recap video. No sifting needed.



2-WAY TALK & LISTEN

Join the conversation with crisp talk-and-listen audio.



ALWAYS LEARNING

Smart Filtering technology learns to identify and record meaningful home moments.



PORTABLE & RECHARGEABLE

Switch between rooms with ease—just grab and go.

<http://www.logitech.com/en-us/product/portable-security-camera>; <http://news.logitech.com/press-release/consumer-products/logi-circle-brings-home-your-smartphone> (“Experience your home as it happens. Through the free iOS® or Android™ app you can stream Live HD Video with 2-Way Talk & Listen over Wi-Fi®. Smart filtering of all video happens with our Scene Intuition™ technology, so you see what matters most at home. It learns your home life patterns and filters the footage to send alerts only on interesting activity, so you don’t need to sift through spam footage. And, when you want to see what action has taken place in your home, Day Briefs™ provide an auto-generated, 30-second video summary of the best moments from that day. You can see this daily summary with one touch of the app.”).

21. On information and belief, backend servers instruct Logi Circle cameras to record certain events.

22. Logitech has also been on notice of the ‘641 Patent at least as early as the filing and service of the Complaint in this action.

23. Upon information and belief, at least since its post-filing knowledge of the ‘641 Patent, Logitech knowingly encouraged, and continues to encourage, current and potential

customers to directly infringe one or more claims of the ‘641 Patent including by its actions that include, without limitation, instructing and encouraging users to use Circle and Alert cameras, backend servers, and/or Logi Circle and Logitech Alert mobile apps though Logitech’s promotional and instructional materials, including through its website instructions and its user and instruction manuals. See https://www.youtube.com/watch?v=tjFsMuqx_jQ; <https://www.youtube.com/watch?v=Da7JJBZ00K8>; http://support.logitech.com/en_us/p/circle/getting-started; http://support.logitech.com/en_us/software/alert-software

24. Logitech instructed and continues to instruct customers how to set up, use, and troubleshoot its cameras and mobile apps including on its own www.logitech.com website that provides support articles, videos, FAQs, etc. on setting up (of camera and mobile app) and using these products, including at the webpages: <http://www.logitech.com/en-us/product/circle>; <http://www.logitech.com/en-us/product/circle/page/how-it-works>; <http://www.logitech.com/en-us/product/circle/page/security> http://support.logitech.com/en_us/p/circle/getting-started; http://support.logitech.com/en_us/p/circle/faq; http://support.logitech.com/en_us/p/circle/downloads

25. Logitech customers directly infringe at least claims 1, 15 and 22 of the ‘641 Patent through their set up and use of Circle and Alert cameras, backend servers, and/or Logi Circle and Logitech Alert mobile apps.

26. Upon information and belief, Logitech is in violation of 35 U.S.C. § 271(b), and has been, at least since its post-filing knowledge of the ‘641 Patent, indirectly infringing, and continues to infringe indirectly, at least claims 1, 15 and 22 of the ‘641 Patent by knowingly and specifically intending to contribute or induce infringement by others (e.g., including but not limited to current and potential customers) and possessing specific intent to encourage

infringement by its customers via at least the acts of advertisements, promotional materials, and instructions to use Logitech cameras, back-end servers and mobile apps that are specifically configured to act according to the claims of the '641 Patent, are material parts of the invention, and do not have substantial non-infringing uses.

27. Logitech cameras, back-end servers, and mobile apps constitute transducers, controllers and mobile device software, respectively, that, as sold and/or as used, are only capable of use for remotely monitoring a surveillance area using a mobile terminal in accordance with claims 1, 15 and 22 of the '641 Patent.

28. Iron Gate has been damaged by the indirect and direct infringement of Logitech and is suffering and will continue to suffer irreparable harm and damage as a result of this infringement unless such infringement is enjoined by this Court.

PRAYER FOR RELIEF

WHEREFORE, Iron Gate requests entry of judgment in its favor and against Logitech as follows:

- A. finding that Logitech has infringed one or more claims of the '641 Patent;
- B. permanently enjoining Logitech and its respective officers, directors, agents, employees, attorneys, licensees, successors, assigns, and those acting in concert or participation with them from infringing the '641 Patent;
- C. awarding Iron Gate damages under 35 U.S.C. § 284, or as otherwise permitted by law, including supplemental damages for any continued post-verdict infringement together with prejudgment and post judgment interest on the damages award and costs and enhancement for willful infringement;
- D. awarding costs of this action (including all disbursements) and attorney fees pursuant to 35 U.S.C. § 285, or as otherwise permitted by law; and

E. awarding such other costs and further relief that the Court determines to be just and equitable.

JURY DEMAND

Pursuant to Fed. R. Civ. P. 38(b), Iron Gate hereby demands a trial by a jury on all issues so triable.

Respectfully submitted,

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